

**Testimony of Frank A. Iannotti
Superior Court Judge and
President of the Connecticut Judges Association
March 26, 2010**

Regarding Proposed Legislation
Raised Bill 5540

An act concerning the Compensation of Judges, Family Support Magistrates,
Family Support Referees and Judge Trial Referees

Good afternoon Senator McDonald, Representative Lawlor and honorable members of the Judiciary Committee.

My name is Frank Iannotti. I am a judge of the Superior Court in Connecticut and I have the pleasure to serve as the President of The Connecticut Judges Association. Our membership consists of approximately 230 members, including judges, senior judges and referees.

The matter I would like to address today is Raised Bill 5540- An Act Concerning the Compensation of Judges, Family Support Magistrates, Family Support Referees and Judge Trial Referees.

We wholeheartedly agree with the compensation commission prior proposals of 2008 and 2009 to implement salary increases for judges and family support magistrates, as well as per diem rates paid to senior judges, judge trial referees, based upon the

average salary increases for state managers. We are keenly aware of the present financial difficulties faced by the citizens of our state and by our state government. We appreciate that during times of fiscal restraint it is unlikely that state managers will receive salary increases, and if the compensation for state judges and judicial magistrate were linked to the compensation for state managers, state judges and judicial magistrates would not receive any increases.

Our proposal is for a “compensation linkage.” The following states provide automatic compensation linkage for judges based upon increases received by other public employees: California; Colorado; the District of Columbia; Kansas; Nevada; North Carolina; Pennsylvania; South Dakota, and Vermont.

The current annual compensation for superior court judges is \$146,780, established in legislation passed in 2004. Additional raises have not been approved by the legislature. A January 2007 study of judicial salaries prepared by the National Center for State Courts (NCSC), found that although based upon salary alone Connecticut judges ranked seventh (7th) nationally, they ranked thirty-ninth (39th) nationally when their salary was adjusted by the cost of living in this state.

The median age of the judges is fifty-six, and the average age of appointment forty-seven. Thus, a significant number of judges are facing the expenses of college education, and the anxiety associated with a less predictable level of salaries increases.

Having any judicial salary increases tied into a set index would provide some level of predictability to judicial officers, as well as to all of those working to plan, craft and implement the state budget. Also it would mean that we would not need to come before the Legislature every few years seeking pay raises, which at times have been disproportionately high to make up for periods of years when no increases were provided.

Having to lobby another branch of government for salary increases is certainly awkward in terms of judicial independence. We feel that by eliminating the need to petition the legislature for pay raises, judges can be more involved collaboratively with the legislature, on the myriad of other issues so very important to the judicial department and those whom we serve.

There are three equal branches of our government: Executive, Legislative, and Judicial. Basic principles of fairness and equity would seem to require that all three branches be treated the same, in the manner of calculating compensation adjustments.

In addition, with many state salaried employees who receive step pay grade increases and annual COLA increases, especially within the Judicial Branch and with State's Attorneys and Public Defenders, if judges are not considered for salary increases, those who answer to judges earn more than judges.

Finally, although not a prevailing trend, we have had instances recently of judges who have left the bench for better financial prospects. If the disparity continues between cost of living increases and the lack of salary increases to keep pace with those increases, we may lose more highly competent judges to the private sector.

Again on behalf of the Connecticut Judges Association, I thank you for the opportunity to present this request. We believe that providing for the implementation of judicial salary increases, linked to the salary increases of state managers, will be a major step in achieving a compensation level that will compensate judges adequately for the time and experience necessary to carrying out the duties of their office, while recognizing the effect of changes in the state's economy.

Sincerely yours,

Frank Iannotti, President